

REMARKS

This responds to the Office Action mailed on August 29, 2005.

Claims 1, 5, 9, 13, 14, 16, and 18 are amended, and no claims are canceled or added; as a result, claims 1-18 are now pending in this application.

Summary of Examiner Interview

On October 25, 2005, Applicant Hal Richardson and his attorney of record, Sherry Schumm, conducted a telephonic inventor interview with Examiner Chin Shue. During the interview, Mr. Richardson and Mrs. Schumm discussed several “unexpected advantages” of the claimed apparatus. Mr. Richardson and Mrs. Schumm explained that they believe that the unexpected advantages were sufficient to overcome previously presented rejections of the claims under 35 U.S.C. § 103(a). Mr. Richardson and Mrs. Schumm indicated that they would re-evaluate the rejections in light of the interview. In summary, no agreement was reached during the October 25, 2005 telephonic examiner interview regarding allowability of any of the claims, and all claims remained rejected.

§103 Rejection of the Claims**Response to Rejection of Claims 5-8:**

Claims 5-8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hutchinson in view of Jordan. Applicant has amended claim 5, from which claims 6-8 depend, and respectfully traverses the rejection.

Hutchinson discloses a detachable harness for a garment (e.g., a fireman’s coat). (See Fig. 1 and col. 2, lines 25-26). The garment-harness combination includes a coat, which is adapted to be worn by a wearer 12 and supported by the shoulders 13 of the wearer. (See Fig. 1 and col. 2, lines 27-29). The garment-harness combination also includes a loop 16, which may be attached around the torso 14 of the wearer on the inside of the coat, using a D-ring 18 and a snap 20, thus forming a belt. (See Fig. 1 and col. 2, lines 32-45). The loop 16 may be releasably attached to the coat (e.g., using VELCRO). (See Fig. 1 and col. 2, lines 50-54). The harness includes a groin strap, which is joined to the loop 16, and a fastening arrangement to store the groin strap out of position. (See Fig. 1 and col. 3, lines 16-29). In particular, the fastening

arrangement includes a VELCRO hook or pile portion 39, which is glued or otherwise attached to the inside of the coat. A second portion 44 of the fastener is sewn to the back of the strap 42. (See Fig. 2, and col. 3, lines 23-32).

Jordan discloses a firefighter turnout gear coat 10. Secured within the coat 10 is a harness assembly 16. (See Fig. 1 and col. 3, lines 27-28). The harness assembly 16 includes a harness body 18, a pair of shoulder straps 19, and a support line 20. (See Fig. 1 and col. 3, lines 28-30). Alternatively, a second embodiment includes turnout gear pants 40, within which a similar harness assembly 16' is incorporated. (See Fig. 2 and col. 4, lines 27-52).

Applicant's claims 5-8 include at least the following features, which distinguish these claims from that which is disclosed by Hutchinson, Jordan or their combination:

“... a stowable pelvis enclosing assembly, attached to the waist strap, wherein the stowable pelvis enclosing assembly is to convert the harness from a Class 2, partial body harness to a Class 3, full body harness, when in a deployed state, by enclosing the shoulders, the waist, and a pelvis of the wearer, and wherein the stowable pelvis enclosing assembly includes

at least one deployable strap,

an attachment mechanism adapted to connect the at least one deployable strap to the frontal attachment point,

a pelvis assembly pouch, attached to the waist strap, wherein the pelvis assembly pouch is to contain the at least one deployable strap and the attachment mechanism in an undeployed state, and

a pouch closing mechanism, attached to the pelvis assembly pouch, to hold the pouch in a closed position when in the undeployed state.”

Neither Hutchinson, Jordan, nor their combination disclose, suggest or motivate the limitations of Applicant's claims 5-8, set forth above. In particular, neither Hutchinson, Jordan, nor their combination disclose a pelvis assembly pouch and a pouch closing mechanism. Hutchinson discloses a fastener with a VELCRO hook or pile portion 39, which is glued or otherwise attached to the inside of a coat, and a second portion 44 of the fastener, which is sewn to the back of the strap 42. (See Fig. 2, and col. 3, lines 23-32). A pelvis assembly pouch (to

contain the deployable strap) and a pouch closing mechanism, as claimed in Applicant's claims 5-8, is not disclosed by Hutchinson or Jordan.

Further, neither Hutchinson nor Jordan discloses, suggests or motivates an apparatus to convert a harness from a Class 2, partial body harness to a Class 3, full body harness, as is claimed in Applicant's claims 5-8.

The prior art references, when combined, do not teach or suggest all of the claim limitations. Accordingly, Applicant believes that the rejection of claims 5-8 under 35 U.S.C. § 103(a) has been overcome. Applicant respectfully requests that the Examiner reconsider and withdraw the rejection, and allow these claims.

Response to Rejection of Claims 1 and 2:

Claims 1 and 2 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hutchinson and Jordan, as applied to claim 5 above, and further in view of Colorado. Applicant has amended claim 1, from which claim 2 depends, and respectfully traverses the rejection.

Colorado discloses a combination trucker's belt and extrication harness. (Fig. 1; col. 3, lines 8-12). The apparatus of Colorado may include a back ring 48 for use in securing the lower portion of a self-contained breathing apparatus (SCBA). (Fig. 1; col. 3, lines 49-51)

Applicant's claims 1 and 2 include at least the following features, which distinguish these claims from that which is disclosed by Hutchinson, Jordan, Colorado or their combination:

"... a mounting assembly to mount a SCBA air tank to the harness . . .

and a stowable pelvis enclosing assembly, attached to the waist strap, wherein the stowable pelvis enclosing assembly is to convert the harness from a Class 2, partial body harness to a Class 3, full body harness, when in a deployed state, by enclosing the shoulders, the waist, and a pelvis of the wearer, and wherein the stowable pelvis enclosing assembly includes

at least one deployable strap,

an attachment mechanism adapted to connect the at least one deployable strap to the frontal attachment point,

a pelvis assembly pouch, attached to the waist strap, wherein the pelvis assembly pouch is to contain the at least one deployable strap and the attachment mechanism in an undeployed state, and
a pouch closing mechanism, attached to the pelvis assembly pouch, to hold the pouch in a closed position when in the undeployed state.”

Neither Hutchinson, Jordan, Colorado nor their combination discloses, suggests or motivates the limitations of Applicant's claims 1-2, set forth above. In particular, neither Hutchinson, Jordan, Colorado, nor their combination discloses a pelvis assembly pouch and a pouch closing mechanism. As discussed previously in conjunction with the response to the rejection of claims 5-8, Hutchinson discloses a fastener with a VELCRO hook or pile portion 39, which is glued or otherwise attached to the inside of a coat, and a second portion 44 of the fastener, which is sewn to the back of the strap 42. (See Fig. 2, and col. 3, lines 23-32). A pelvis assembly pouch (to contain the deployable strap) and a pouch closing mechanism, as claimed in Applicant's claims 1 and 2, is not disclosed by Hutchinson, Jordan or Colorado.

Further, neither Hutchinson, Jordan nor Colorado discloses, suggests or motivates an apparatus to convert a harness from a Class 2, partial body harness to a Class 3, full body harness, as is claimed in Applicant's claims 1 and 2.

Further still, neither Hutchinson, Jordan, Colorado, nor their combination discloses, suggests or motivates “. . . a mounting assembly, adapted to mount a SCBA air tank to the harness . . .” Colorado merely discloses “a back ring 48 for use in securing the lower portion of a self-contained breathing apparatus (SCBA) . . .” (Fig. 1; col. 3, lines 49-51). A “ring” does not constitute a “mounting assembly.” It would not likely be possible to mount a SCBA on a ring. The back ring 48 of Colorado merely secures a portion of a SCBA, but does not provide for mounting a SCBA.

The prior art references, when combined, do not teach or suggest all of the claim limitations. Accordingly, Applicant believes that the rejection of claims 1 and 2 under 35 U.S.C. § 103(a) has been overcome. Applicant respectfully requests that the Examiner reconsider and withdraw the rejection, and allow these claims.

Response to Rejection of Claim 9:

Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Hutchinson and Jordan, as applied to claim 5 above, and further in view of Colorado. Applicant has amended claim 9, and respectfully traverses the rejection. Further, Applicant has amended claim 5, from which claim 9 depends.

As discussed previously in conjunction with the response to the rejection of claim 5, neither Hutchinson nor Jordan discloses, suggests or motivates the limitations of claim 5, from which claim 9 depends. Applicant further believes that neither Colorado nor the combination of the three references discloses, suggests or motivates the limitations of claim 5. More specifically, neither Hutchinson, Jordan, Colorado, nor their combination disclose a pelvis assembly pouch and a pouch closing mechanism or an apparatus to convert a harness from a Class 2, partial body harness to a Class 3, full body harness, as is claimed in Applicant's claims 5 and 9.

Further, Applicant's claim 9 includes at least the following additional features, which distinguish this claim from that which is disclosed by Hutchinson, Jordan, Colorado, and their combination:

“ . . . wherein the at least one deployable strap and the pelvis assembly pouch are formed from aramid fiber materials . . . ”

Neither Hutchinson, Jordan, Colorado nor their combination discloses, suggests or motivates a deployable strap and pelvis assembly pouch formed from aramid fiber materials.

The prior art references, when combined, do not teach or suggest all of the claim limitations. Accordingly, Applicant believes that the rejection of claim 9 under 35 U.S.C. § 103(a) has been overcome. Applicant respectfully requests that the Examiner reconsider and withdraw the rejection, and allow this claim.

Response to Rejection of Claims 3, 4, 10, 11, and 14-17:

Claims 3, 4, 10, 11, and 14-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hutchinson and Jordan, as applied to claim 5 above, and further in view of

Bell. Applicant has amended claims 1, 5, 13, and 16, from which claims 3, 4, 10, 11, 14-15, and 17 depend, and respectfully traverses the rejection.

Bell discloses a body harness having a belt and a seat strap. (Fig. 5, col. 3, lines 12-17).

The body harness includes a rappelling assembly. (Figs. 3 and 4, col. 3, lines 5-11).

With respect to claims 3 and 4: Claims 3 and 4 depend from claim 1. As discussed previously in conjunction with the response to the rejection of claim 1 (above), neither Hutchinson nor Jordan discloses, suggests or motivates the limitations of claim 1, from which claims 3 and 4 depend. Applicant further believes that neither Bell nor the combination of the three references discloses, suggests or motivates the limitations of claim 1. More specifically, neither Hutchinson, Jordan, Bell, nor their combination disclose a pelvis assembly pouch and a pouch closing mechanism, or a mounting assembly to mount a SCBA air tank, or an apparatus to convert a harness from a Class 2, partial body harness to a Class 3, full body harness, as is claimed in Applicant's claims 1, 3, and 4.

With respect to claims 10 and 11: Claims 10 and 11 depend from claim 5. As discussed in the response to the rejection of claim 5 (above), neither Hutchinson nor Jordan discloses, suggests or motivates the limitations of claim 5, from which claims 10 and 11 depend. Applicant further believes that neither Bell nor the combination of the three references discloses, suggests or motivates the limitations of claim 5. More specifically, neither Hutchinson, Jordan, Bell, nor their combination disclose a pelvis assembly pouch and a pouch closing mechanism, or an apparatus to convert a harness from a Class 2, partial body harness to a Class 3, full body harness, as is claimed in Applicant's claims 5, 10, and 11.

With respect to claims 14 and 15: Claims 14 and 15 depend from claim 13. As discussed in the response to the rejection of claim 13 (below), neither Hutchinson nor Jordan discloses, suggests or motivates the limitations of claim 13, from which claims 14 and 15 depend. Applicant further believes that neither Bell nor the combination of the three references discloses, suggests or motivates the limitations of claim 13. More specifically, neither Hutchinson, Jordan, Bell, nor their combination disclose an apparatus to convert a harness from a Class 2, partial body harness to a Class 3, full body harness, as is claimed in Applicant's claims 13-15.

With respect to claims 16 and 17: Applicant's claims 16 and 17 include at least the following distinguishing features:

"... a stowable pelvis enclosing assembly, ... wherein the stowable pelvis enclosing assembly is to convert the harness from a Class 2, partial body harness to a Class 3, full body harness by enclosing shoulders, a waist, and a pelvis of a wearer, and wherein the stowable pelvis enclosing assembly includes

...

a pelvis assembly pouch, attachable to the waist strap, wherein the pelvis assembly pouch is to contain the at least one deployable strap and the attachment mechanism in an undeployed state, and
a pouch closing mechanism, attached to the pelvis assembly pouch, to hold the pouch in a closed position when in the undeployed state . . ."

Neither Hutchinson, Jordan, Bell nor their combination discloses, suggests or motivates the limitations of Applicant's claims 16-17, set forth above. In particular, neither Hutchinson, Jordan, Bell, nor their combination discloses a pelvis assembly pouch and a pouch closing mechanism. Further, neither Hutchinson, Jordan nor Bell discloses, suggests or motivates an apparatus to convert a harness from a Class 2, partial body harness to a Class 3, full body harness, as is claimed in Applicant's claims 16-17.

The prior art references, when combined, do not teach or suggest all of the claim limitations. Accordingly, Applicant believes that the rejection of claims 3, 4, 10, 11, and 14-17 under 35 U.S.C. § 103(a) has been overcome. Applicant respectfully requests that the Examiner reconsider and withdraw the rejection, and allow these claims.

Response to Rejection of Claims 12 and 18:

Claims 12 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hutchinson, Jordan and Bell, as applied to claims 10 and 16, respectively above, and further in view of Colorado as applied to claim 9 above. Applicant has amended claim 18. Further,

Applicant has amended claims 5 and 16, from which claims 12 and 18 depend, and respectfully traverses the rejection.

With respect to claim 12: Claim 12 depends from claim 5. As discussed in the response to the rejection of claim 5 (above), neither Hutchinson nor Jordan discloses, suggests or motivates the limitations of claim 5, from which claim 12 depends. Applicant further believes that neither Bell, Colorado nor the combination of the four references discloses, suggests or motivates the limitations of claim 5. More specifically, neither Hutchinson, Jordan, Bell, Colorado nor their combination disclose a pelvis assembly pouch and a pouch closing mechanism, or an apparatus to convert a harness from a Class 2, partial body harness to a Class 3, full body harness, as is claimed in Applicant's claims 5 and 12.

With respect to claim 18: Claim 18 depends from claim 16. As discussed in the response to the rejection of claim 16 (above), neither Hutchinson, Jordan, nor Bell discloses, suggests or motivates the limitations of claim 16, from which claim 18 depends. Applicant further believes that neither Colorado nor the combination of the four references discloses, suggests or motivates the limitations of claim 16. More specifically, neither Hutchinson, Jordan, Bell, Colorado nor their combination disclose a pelvis assembly pouch and a pouch closing mechanism, or an apparatus to convert a harness from a Class 2, partial body harness to a Class 3, full body harness, as is claimed in Applicant's claims 16 and 18.

Further, Applicant's claim 18 includes at least the following additional features, which distinguish this claim from that which is disclosed by Hutchinson, Jordan, Bell, Colorado or their combination:

"... wherein the at least one deployable strap, the pelvis assembly pouch, the rappel line, and the rappel line pouch are formed from aramid fiber materials . . ."

Neither Hutchinson, Jordan, Bell, Colorado nor their combination discloses, suggests or motivates at least one deployable strap, the pelvis assembly pouch, the rappel line, and the rappel line pouch are formed from aramid fiber materials, as is claimed in Applicant's claim 18.

The prior art references, when combined, do not teach or suggest all of the claim limitations. Accordingly, Applicant believes that the rejection of claims 12 and 18 under 35

U.S.C. § 103(a) has been overcome. Applicant respectfully requests that the Examiner reconsider and withdraw the rejection, and allow these claims.

Response to Rejection of Claim 13:

Claim 13 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Bell in view of Jordan. Applicant has amended claim 13, and respectfully traverses the rejection.

Applicant's claim 13 includes at least the following features, which distinguish this claim from that which is disclosed by Bell, Jordan or their combination:

"... a stowable pelvis enclosing assembly, attached to the waist strap, wherein the stowable pelvis enclosing assembly is to convert the harness from a Class 2, partial body harness to a Class 3, full body harness by enclosing the shoulders, the waist, and a pelvis of the wearer."

Neither Bell, Jordan nor their combination discloses, suggests or motivates the limitations of Applicant's claim 13, set forth above. In particular, neither Bell, Jordan nor their combination discloses a stowable pelvis enclosing assembly to convert a harness from a Class 2, partial body harness to a Class 3, full body harness.

The prior art references, when combined, do not teach or suggest all of the claim limitations. Accordingly, Applicant believes that the rejection of claim 13 under 35 U.S.C. § 103(a) has been overcome. Applicant respectfully requests that the Examiner reconsider and withdraw the rejection, and allow this claim.

Support for Claim Amendments

Support for the amendments to the claims may be found in the originally-filed application at page 6, lines 18-24, page 7, lines 17-24, and page 8, lines 12-16. No new matter is introduced as a result of these claim amendments.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (480) 538-1735 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

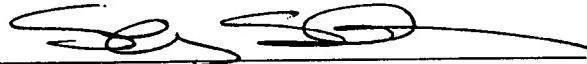
Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 29 day of November, 2005.

LISA POSORZEE

Name

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Leia Posorze